

AF 3713 \$  
PTO/SB/21 (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/802,661
	Filing Date	3/9/2001
	First Named Inventor	Victor Keith Blanco
	Group Art Unit	3713
	Examiner Name	KIM T NGUYEN
Total Number of Pages in This Submission	Attorney Docket Number	MS1-770US

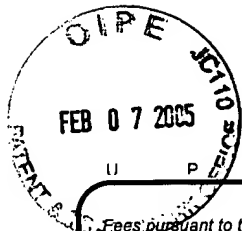
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 Form; Cited References (8); Return Post Card
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Steven R. Sponseller/Reg. No. 39384
Signature	
Date	2-02-05

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Anna G. Hook
Signature	
Date	2-4-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U P R 1995

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00

## Complete if Known

Application Number 09/802,661

Filing Date 3/9/2001

First Named Inventor Victor Keith Blanco

Examiner Name KIM T NGUYEN

Art Unit 3713

Attorney Docket No. MS1 -770US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 12-0769 Deposit Account Name: Lee & Hayes, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

- 20 or HP = \_\_\_\_\_ x 50 = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = \_\_\_\_\_ x 200 = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims

Fee (\$) Fee Paid (\$)

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement

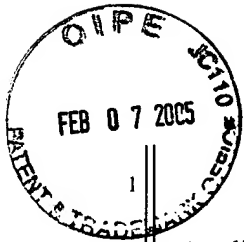
180.00

## SUBMITTED BY

Signature		Registration No. 39384 (Attorney/Agent)	Telephone (509) 324-9256
Name (Print/Type)	Steven R. Sponseller		Date 2-02-05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. ....09/802,661  
Filing Date .....3/9/2001  
Confirmation No. ....7533  
Inventorship ..... Victor Keith Blanco  
Applicant ..... Microsoft Corporation  
Group Art Unit .....3713  
Examiner ..... KIM T NGUYEN  
Attorney's Docket No. .... MS1-770US  
Title: Method and Apparatus for Creating and Playing Soundtracks in a Gaming  
System

**INFORMATION DISCLOSURE STATEMENT**

**References -- See Attached Form PTO-1449**

To: Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256; Fax 509-323-8979)  
Lee & Hayes, PLLC  
421 W. Riverside Avenue, Suite 500  
Spokane, WA 99201

The attached form PTO-1449 is submitted in compliance with Applicant's duty of disclosure under 37 CFR §1.56. The Examiner is requested to make these citations of official record in this application.

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 as set forth in 37 CFR §1.17(p).

Dated: 2-02-05

By: 

Steven R. Sponseller  
Reg. No. 39384

02/10/2005 DEBMANU1 00000037 120769 09802661

01 FC:1806 180.00 DA



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Substitute for form 1449A/PTO

*(use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	09/802,661
Filing Date	03/09/2001
First Named Inventor	Victor Keith Blanco
Art Unit	3713
Examiner Name	Nguyen, Kim T.
Attorney Docket Number	MS1-770US

[illegible]

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		EP 0 809 214	11-26-97	Sega Enterprises		
		EP 0 998 966	05-10-00	STD LTD		
		FR 2 743 434	07-11-97	Collet Olivier		

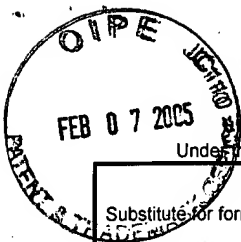
**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	09/802,661
Filing Date	03/09/2001
First Named Inventor	Victor Keith Blanco
Group Art Unit	3713
Examiner Name	Nguyen
Attorney Docket Number	MS1-770US

Sheet	2	of	2
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite, No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Daniel Quinlan; "Filesystem Hierarchy Standard-Version 2.0" Online! 26 October 1997 Retrieved from the Internet: URL: <a href="http://www.lisoleg.net/lisoleg/fs/fhs.pdf">http://www.lisoleg.net/lisoleg/fs/fhs.pdf</a> >retrieved on 2004/11/18.	
		Jones: "Garbage Collection", pp. 171-173, Inter-Generational Pointers.	
		Unknown: "DexDrive Manual", Gameshark, Online! 1998, pp. 1-15, Retrieved from the Internet: URL: <a href="http://www.angelfire.com/games/winospsxdexdrive/dexdrive.pdf">http://www.angelfire.com/games/winospsxdexdrive/dexdrive.pdf</a> >	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## Matter History Report

### U.S. Patent

**Title:** Method and Apparatus for Creating and Playing

**Country:** U.S. **Patent No.**

**Client ID:** MS1 **Issue Date:**

**Matter Number:** 0770US

**Matter Title:** XBox Sound Tracks

**Status:** Active

**Client:** Microsoft Corporation

**File By Date:**

**Appl. Serial No:** 09/802,661 **Filing Date:** 3/9/2001

**Client Case No(s):** 164209.01

**Init./Billing Atty:** SRS **Resp. Attorney:** LCL **Paralegal:** LSM

#### Party Relations:

Assignee	MICROSOFT CORPORATION,
Client	MICROSOFT CORPORATION,
Client Attorney	QUAN STACY
Examiner	NGUYEN, KIM T
First Named Inventor	BLANCO VICTOR KEITH

Deadlines	Notes	Due	Completed
Notify Client re Foreign Filing Deadline	06/19/2001: Need designation of countries.	12/09/2001	11/20/2001
File Foreign Applications	06/19/2001: File in designated countries (or EPO or PCT)	03/09/2002	12/18/2001
File Response to Restriction		10/09/2003	09/26/2003
File IDS	01/23/2004: See MS1-767OA dtd 1-13-04	02/23/2004	01/29/2004
File IDS	01/29/2004: See MS1-768US OA dtd 1-27-04	03/22/2004	03/17/2004
File Response to Office Action	02/16/2004: See MS1-762US O.A. dtd 2/11/04	05/22/2004	05/14/2004
File IDS	07/21/2004: See MS1-766US OA dtd 7-14-04	08/19/2004	08/05/2004
File Response to Final		11/11/2004	11/04/2004
File IDS - From Foreign Search	08/25/2004: MS1-762EP Search dtd 8-12-04	11/11/2004	10/12/2004
Early Response deadline		01/24/2005	
File IDS - See MS1-768EP Search dtd 12/23/04		02/05/2005	
Response to Final Office Action deadline		02/22/2005	
Resolve Final Rejection		02/22/2005	
Response to Final Office Action deadline (1st extension)		03/22/2005	
Resolve Final Rejection (1st extension)		03/22/2005	
Response to Final Office Action deadline		04/22/2005	

## Matter History Report

(2nd extension)

Resolve Final Rejection (2nd extension)

04/22/2005

Resolve Final 6 months date:

05/23/2005

NOA/RCE/APPEAL/ABANDON?